

## Agricultural Marketing Service, USDA

## § 982.30

proprietary capacity, in the commercial production of hazelnuts.

### § 982.7 To handle.

*To handle* means to sell, consign, transport or ship (except as a common carrier of hazelnuts owned by another person), or in any other way to put hazelnuts, inshell or shelled, into the channels of trade either within the area of production or from such area to points outside thereof: *Provided*, That sales or deliveries by growers to handlers within the area of production or authorized disposition of restricted hazelnuts and substandard hazelnuts shall not be considered as handling.

### § 982.8 Handler.

*Handler* means any person who handles hazelnuts.

### § 982.11 Pack.

*Pack* means a specific commercial classification according to size, internal quality, and external appearance and condition of hazelnuts packed in accordance with any of the pack specifications prescribed pursuant to § 982.45.

### § 982.12 Merchantable hazelnuts.

*Merchantable hazelnuts* means inshell hazelnuts that meet the grade and size regulations in effect pursuant to § 982.45 and are likely to be available for handling as inshell hazelnuts.

### § 982.13 Substandard hazelnuts.

*Substandard hazelnuts* means hazelnuts, inshell or shelled, that do not meet the minimum standards effective pursuant to § 982.45.

### § 982.14 Restricted hazelnuts.

*Restricted hazelnuts* means inshell hazelnuts withheld in satisfaction of a restricted obligation.

### § 982.15 Inshell handler carryover.

*Inshell handler carryover* as of any given date means all inshell hazelnuts (except restricted hazelnuts) wherever located then held by handlers or for their accounts, whether or not sold, including certified merchantable hazelnuts and the estimated merchantable content of those uncertified hazelnuts

then held by handlers which are intended for handling as inshell hazelnuts.

### § 982.16 Inshell trade acquisitions.

*Inshell trade acquisitions* means the quantity of inshell hazelnuts acquired by the trade from all handlers during a marketing year for distribution in the continental United States and such other distribution areas as may be recommended by the Board and established by the Secretary.

[61 FR 17559, Apr. 22, 1996]

### § 982.17 Marketing year.

*Marketing year* means the 12 months from July 1 to the following June 30, both inclusive, or such other period of time as may be recommended by the Board and established by the Secretary.

[51 FR 29546, Aug. 19, 1986]

### § 982.18 Board.

*Board* means the Hazelnut Marketing Board established pursuant to § 982.30.

[46 FR 26038, May 11, 1981]

### § 982.19 Disappearance.

*Disappearance* means the difference between orchard-run production and the available supply of merchantable hazelnuts and merchantable equivalent of shelled hazelnuts.

[46 FR 26038, May 11, 1981]

### § 982.20 Part and subpart.

*Part* means the order, as amended, regulating the handling of hazelnuts grown in Oregon and Washington, and all rules, regulations, and supplementary orders issued thereunder. This order, as amended, regulating the handling of hazelnuts grown in Oregon and Washington shall be a *subpart* of such part.

[24 FR 6185, Aug. 1, 1959. Redesignated at 26 FR 12751, Dec. 30, 1961 and 46 FR 26038, May 11, 1981]

## HAZELNUT CONTROL BOARD

### § 982.30 Establishment and membership.

(a) There is hereby established a Hazelnut Marketing Board consisting of